



Entered on Docket  
September 15, 2006

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:  
USA COMMERCIAL MORTGAGE COMPANY,  
Debtor.

Case No. BK-S-06-10725 LBR  
Case No. BK-S-06-10726 LBR  
Case No. BK-S-06-10727 LBR  
Case No. BK-S-06-10728 LBR  
Case No. BK-S-06-10729 LBR

In re:  
USA CAPITAL REALTY ADVISORS, LLC,  
Debtor.

Chapter 11

In re:  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
Debtor.

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

In re:  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
Debtor.

**STIPULATED ORDER RE PROOFS OF  
INTEREST  
(AFFECTS USA CAPITAL DIVERSIFIED  
TRUST DEED FUND, LLC and USA  
CAPITAL FIRST TRUST DEED FUND,  
LLC)**

In re:  
USA SECURITIES, LLC,  
Debtor.

Date: September 13, 2006  
Time: 9:30 a.m.

Affects:  
☐ All Debtors  
☐ USA Commercial Mortgage Company  
☐ USA Securities, LLC  
☐ USA Capital Realty Advisors, LLC  
☒ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC

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1 Upon the Stipulation of the Debtors and Official Committee of Equity Security Holders of  
2 USA Capital Diversified Trust Deed Fund, LLC ("Diversified Fund") and Official Committee of  
3 Equity Security Holders of USA Capital First Trust Deed Fund LLC ("First Fund"), and pursuant  
4 to Bankruptcy Rule 3003(b)(2), and good cause appearing, it is

5 ORDERED AS FOLLOWS:

6 1. The list of members with interests in the Diversified Fund and First Fund provided  
7 by the Debtors to BMC Group, the Court-approved noticing agent, shall be deemed the list of  
8 equity security holders filed pursuant to Bankruptcy Rule 1007(a)(3), and shall constitute *prima*  
9 *facie* evidence of the validity and amount of the equity security interests.

10 2. Each holder of such interest shall be given notice of the Debtor in which it has an  
11 interest and the amount of such interest and, if applicable, whether that interest is alleged to be  
12 disputed or contingent.

13 3. It shall not be necessary for the holders of such interests to file a proof of interest.

14 4. The holders of such interests shall be deemed to have filed a proof of interest in the  
15 amount shown on the list.

16 Submitted by:  
17 RAY QUINNEY & NEBEKER P.C. and  
18 SCHWARTZER & MCPHERSON LAW FIRM

19 By: /s/Lenard E. Schwartzer  
20 LENARD E. SCHWARTZER, ESQ.  
*Attorneys for Debtor and Debtor-In-Possession*

21 Approved/Disapproved by:  
22 ORRICK, HERRINGTON & SUTCLIFFE LLP  
and BECKLEY SINGLETON, CHTD.

23 By: [Signature]  
24 MARC A. LEVINSON, ESQ.  
25 LYNN TRINKA ERNCE, ESQ.  
26 ANNE M. LORADITCH, ESQ.  
27 BOB L. OLSON, ESQ.  
*Counsel for the Official Committee of*  
*Equity Security Holders of USA Capital*  
*Diversified Trust Deed Fund, LLC*

Approved/Disapproved by:  
STUTMAN TREISTER & GLATT, P.C. and  
SHEA & CARLYON, LTD.

By: [Signature]  
EVE KARASIK, ESQ.  
CHRISTINE PAJAK, ESQ.  
CANDACE C. CARLYON, ESQ.  
*Counsel for the Official Committee of*  
*Equity Security Holders of USA Capital*  
*First Trust Deed Fund LLC*

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Upon the Stipulation of the Debtors and Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC ("Diversified Fund") and Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund LLC ("First Fund"), and pursuant to Bankruptcy Rule 3003(b)(2), and good cause appearing, it is

ORDERED AS FOLLOWS:

1. The list of members with interests in the Diversified Fund and First Fund provided by the Debtors to BMC Group, the Court-approved noticing agent, shall be deemed the list of equity security holders filed pursuant to Bankruptcy Rule 1007(a)(3), and shall constitute *prima facie* evidence of the validity and amount of the equity security interests.

2. Each holder of such interest shall be given notice of the Debtor in which it has an interest and the amount of such interest and, if applicable, whether that interest is alleged to be disputed or contingent.

3. It shall not be necessary for the holders of such interests to file a proof of interest.

4. The holders of such interests shall be deemed to have filed a proof of interest in the amount shown on the list.

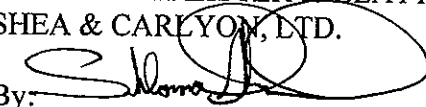
Submitted by:  
RAY QUINNEY & NEBEKER P.C. and  
SCHWARTZER & MCPHERSON LAW FIRM

By: /s/Lenard E. Schwartzer  
LENARD E. SCHWARTZER, ESQ.  
*Attorneys for Debtor and Debtor-In-Possession*

Approved/Disapproved by:  
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and BECKLEY SINGLETON, CHTD.

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LYNN TRINKA ERNCE, ESQ.  
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Equity Security Holders of USA Capital  
First Trust Deed Fund LLC*

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